

6-5-01/8

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES ISELEY, :  
 :  
 Petitioner : CIVIL NO. 1:CV-00-2186  
 :  
 v. : (Judge Kane)  
 :  
 KATHLEEN ZWIERZYNA, ET AL., :  
 :  
 Respondents :

**FILED**  
HARRISBURG, PA

JUN - 4 2001

O R D E R

MARY E. D'ANDREA, CLERK  
Per [Signature]  
Deputy Clerk

This is a petition for writ of habeas corpus filed under 28 U.S.C. § 2254 by Charles Iseley, an inmate currently incarcerated at the State Correctional Institution, Coal Township, Pennsylvania. The petition was accompanied by a motion to proceed in forma pauperis.

A report from Iseley's inmate commissary, or trust fund, account supplied by prison officials shows that in the six (6) months before he filed the complaint an amount in excess of \$260.00 was deposited into Iseley's prison account. His account as of the date of the report reflected a balance of \$35.20.

Federal law requires the petitioner in a habeas corpus action to pay a filing fee of \$5.00. 28 U.S.C. § 1914(a). The

court determines that Iseley has sufficient resources to pay the entire amount. Accordingly, Iseley will be directed to respond to this order in one of the four manners described below within twenty (20) days. If he fails to respond to this order within twenty (20) days, his motion to proceed in forma pauperis will be denied and his action will be dismissed.

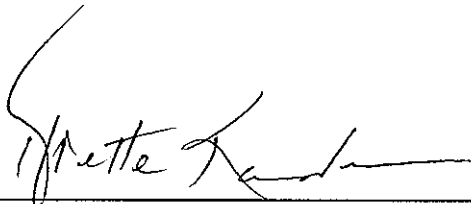
NOW, THEREFORE, IT IS ORDERED THAT:

1. Within twenty (20) days of the date of this order the petitioner must send to "Clerk, U.S. District Court, P.O. Box 1148, Scranton, PA 18501," either:
  - a. A check or money order in the amount of \$5.00 payable to "Clerk, U.S. District Court"; if this fee is received, the prisoner's motion to proceed in forma pauperis will be denied as moot and service of the complaint will be ordered.
  - b. A written request for a reasonable extension of time in which to make the payment.
  - c. A written explanation demonstrating that he lacks access to sufficient funds to make the payment; the prisoner's

explanation should include a statement of the source of the funds deposited in his trust fund, or commissary, account in the preceding six (6) months and reasons for the withdrawals, or

- d. A written description of special circumstances which he believes warrant excusing him from paying the fee as indicated above.

2. If the petitioner fails to respond to this order within twenty (20) days, his motion to proceed in forma pauperis will be denied and his action will be dismissed.



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YVETTE KANE  
United States District Judge

DATED:

6/4/2001

YK:dlb

06/04/01 09:37 FAX 5702075650

USDC MDPA Clerks Office

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UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

June 4, 2001

Re: 1:00-cv-02186 Iseley v. Zwierzyna

True and correct copies of the attached were mailed by the clerk  
to the following:

Charles Iseley  
SCI-Coal  
AM-9320  
1 Kelley Dr.  
Coal Township, PA 17866

cc:		
Judge	(✓)	(✓) Pro Se Law Clerk
Magistrate Judge	( )	( ) INS
U.S. Marshal	( )	( ) Jury Clerk
Probation	( )	
U.S. Attorney	( )	
Atty. for Deft.	( )	
Defendant	( )	
Warden	( )	
Bureau of Prisons	( )	
Ct Reporter	( )	
Ctroom Deputy	( )	
Orig-Security	( )	
Federal Public Defender	( )	
Summons Issued	( )	with N/C attached to complt. and served by: U.S. Marshal ( ) Pltf's Attorney ( )
Standard Order 93-5	( )	
Order to Show Cause	( )	with Petition attached & mailed certified mail to: US Atty Gen ( ) PA Atty Gen ( ) DA of County ( ) Respondents ( )
Bankruptcy Court	( )	
Other	( )	

*# Financial*

MARY E. D'ANDREA, Clerk

DATE: 6-4-01BY: *[Signature]*  
Deputy Clerk